

REGULATION

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Issued By: Classifications and Selections	Rule Reference: Rules: 4-1 (Position Establishment & Classification) 4-2 (Position Classification Review)		Replaces: Reg. 4.01 (SPDOC 03-28, August 31, 2003)
Authority: Regulations are issued by the State Personnel Director under authority granted in the Michigan Constitution and the Michigan Civil Service Commission Rules. Regulations are subordinate to the Commission Rules.			
Subject: POSITION CLASSIFICATION ACTIONS THAT REQUIRE CIVIL SERVICE REVIEW			

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1. **PURPOSE**

This regulation establishes the standards and procedures for processing position classification actions that require Civil Service review. Refer to regulation 4.02 [Preauthorized Position Classification Actions] for the standards and procedures for processing preauthorized classification actions.

2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

Note: This Section 2 reprints only selected Commission Rules for quick reference by the reader. Additional Rules (that are not reprinted below) may apply. The complete, current version of the Rules can be found at www.michigan.gov/mdcs.

Rule 4-1 Position Establishment and Classification

4-1.1 Requirement

All positions must be established in the classified service unless specifically exempted or excepted by article 11, section 5, of the constitution, or these rules.

4-1.2 Classification

A position established in the classified service must be reviewed to classify the position properly.

4-1.3 Authority to Establish

The appointing authority may establish a position for reasons of administrative efficiency. An appointment cannot be made to a position until it has been established and classified.

4-1.4 Classification Plan

The civil service commission shall authorize an official classification plan for all positions in the classified service. The state personnel director shall administer the official classification plan.

(a) Classification. *Every position established must be classified in accordance with the official classification plan.*

(b) Reclassification. *Civil service staff may reclassify an employee if the employee's position has experienced gradual growth and accretion of higher level duties and responsibilities. The appointing authority must certify that the employee is satisfactorily performing the duties of the position.*

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Rule 4-2 Position Classification Review

Civil service staff shall provide for both a periodic and ongoing review of positions in the classified service to ensure positions continue to be properly classified.

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3. **DEFINITIONS**

A. Civil Service Commission Rule Definitions

1. ***Classification*** means a group of positions whose assigned duties and responsibilities are sufficiently alike to warrant assigning the same classification title and requiring the same qualifications.

2. **Classification Level** means the placement of a classification within a series based on the duties and responsibilities of the position.
3. **Class Series** means a series of classifications with similar but progressively more responsible job duties.
4. **Position** means a classified job identified by its respective duties and responsibilities.
5. **Preauthorized** means the specific authorization granted to an appointing authority to process a transaction in accordance with civil service rules and regulations without prior civil service review.
6. **Reclassification** means an authorized classification action to change an employee's classification or grade based on the gradual growth and accretion of higher level duties.
7. **Selective position requirements** means specific qualifications that are narrower or more limited than those generally associated with a position and that are determined to be essential for performance of the duties of a specific position.
8. **Subclass** means additional specialized experience, specialized training, licensure, or other specialized qualification that is required for appointment to a specific subgroup of positions.

B. Additional Definitions as used in this Regulation

1. **Establishment** means the creation of a new position by an appointing authority by defining the duties, responsibilities, and other relevant considerations on a position description. Civil Service shall classify every position established in accordance with the official classification plan.
2. **Conversion** means a change of positions from one classification to another when a classification is abolished, a new classification is created or a position is moved into or out of a performance pay program as authorized by Civil Service.

4. STANDARDS

A. Establishment and Reclassification.

1. A classification action that is not preauthorized must be reviewed and approved by Civil Service before it can be placed in the Human Resources Management Network (HRMN). Classification actions for Departmental Trainee, advanced, senior (advanced), lead worker, supervisory, managerial, specialist, administrative, or executive positions are not preauthorized.
2. For a classification action that requires Civil Service review and approval, the appointing authority must submit to Civil Service a Position Action Request (CS-129) and a completed Position Description (CS-214). Additional supporting documentation may be required to complete the classification review, such as an organizational chart for the work area, approved advanced level standards, the appropriate specialist or managerial ratings, or a Civil

Service approved Request for a Credential Review form (CS-153A). Positions in classifications in Groups 1, 2, and 3 of the ECP that are subclass eligible should have proposed subclasses entered on the CS-129. If any additional information is necessary, Civil Service will request further clarification.

3. A position classification review will be based on the application of the classification plan to the duties and responsibilities of the position as of the date the request is received. The effective date of the reclassification may be retroactive as provided under regulation 4.04 [Effective Dates for Classification Actions] if the classification plan and the duties and responsibilities of the position are the same on both the date received and the retroactive date.
4. The effective date assigned to any classification action request that requires Civil Service review will be in accordance with regulation 4.04.

B. Establishment.

1. The classification of a new position requires approval by Civil Service, unless otherwise preauthorized to the agency.
2. A position establishment is necessary, and a position reclassification is not appropriate, when the primary function of the position undergoes a material and substantial change, requiring a new body of knowledge, skills, and abilities to perform the duties. Each request is evaluated on an individual basis. A new position establishment and appointment is typically necessary when the job changes in any of the following ways:
 - a. From a worker to a Departmental Trainee, supervisor, manager, administrator, or executive.
 - b. From a worker to an unrelated program or staff specialty.
 - c. From one program or staff specialty area to another unrelated program or staff specialty area.
 - d. From a supervisor to a manager, administrator, or executive.
 - e. From a nonprofessional to a professional.
 - f. When two or more work areas are combined and similarly situated positions exist where there should be competition for the new position.
 - g. From one kind of work to another; e.g., accounting assistant to carpenter or property analyst to personnel management analyst.
 - h. From a classification in one ECP Group to a classification in another ECP Group.
3. All professional administrative assistant positions must be established in the proper class series and at the proper classification level, as described in the job specification.
4. All secretaries and senior executive management assistants reporting to positions in the ECP Group 4 must be established at the appropriate classification level, as described in the job specification.

5. All multiple, limited, and overall assistant division director positions must be established in the proper class series and at the proper classification level.
6. Appointing authorities are to comply with any executive orders or directives in place that are applicable to their agency.
7. A supervisory, managerial, administrative, or executive-level position may be established with vacant subordinate positions to allow the future managerial employee to select the subordinates. The appointing authority has six months from the date of the manager's appointment to fill the subordinate positions and submit verification to Civil Service. If the subordinate positions are not filled within this six-month time period, Civil Service will reclassify the position to the proper classification. Civil Service may grant extensions beyond the six-month period if an appointing authority demonstrates good cause.
8. A project manager position, a professional managerial position that has lead responsibility for major projects, may be established as a temporary or permanent position. A temporary project manager position can be established for up to 24 months. Extensions are permissible for demonstrated good cause. A permanent position can be established and must have continuous assigned projects, with certification as to the continuous nature of the projects. The project manager position must supervise two filled positions at all times. The subordinate positions can be permanently established, established on a temporary basis, or borrowed from other work areas.
9. A pattern position is a position that requires the possession of specific education, experience, skills, and knowledge that can only be gained through on-the-job-training at the lower levels in the classification. A pattern position must be filled at the lowest level in the approved pattern. The reclassification of a pattern position is not preauthorized to an appointing authority.

C. Reclassification.

1. A reclassification requires appointing authority certification that the incumbent (a) meets the minimum requirements, (b) is satisfactorily performing the duties and responsibilities of the requested classification or classification level, and (c) has a current, satisfactory probationary; annual; or, follow-up performance rating.
2. A standard reclassification is one classification level higher, after the equivalent of one year (2080 hours in level) of full-time, documented, satisfactory service of compatible work assignments at the lower classification level.
3. If, during the qualifying period, the incumbent is on an extended paid absence of more than two consecutive pay periods, the appointing authority may delay the reclassification for a period equivalent to the length of the absence.
4. If, during the qualifying period, an employee is on an unpaid absence, the reclassification will be delayed for a period equivalent to the length of the absence.
5. A position may be reclassified in any of the following circumstances:

- a. To the advanced level when the position is assigned the most complex duties and responsibilities beyond those assigned to an experienced-level position, as determined by Civil Service approved, advanced classification standards.
 - b. From the experienced level or advanced level to a specialist level if the position's principal duties and responsibilities remain basically the same, but the job has evolved from a worker to a related and identifiable program or staff specialty that is recommended by the appointing authority and accepted by Civil Service.
 - c. From a student assistant to an appropriate career classification in accordance with regulation 3.02 [Student Assistants in the Classified Service].
 - d. When there is no change in the assigned duties and responsibilities, but a change in the overall classification plan results in a change in the classification concept.
 - e. When a change in the classification of the supervisor's position impacts upon the subordinate position's classification.
 - f. When a change in the subordinate position's classification impacts upon the supervisory position's classification.
 - g. When the duties and responsibilities remain basically the same, but the position takes on greater importance and stature through a change in the organizational placement. For example, a division organizational entity is elevated to a bureau organizational entity in recognition of the agency's changing mission and program goals.
 - h. When there is continuity in the duties and responsibilities of a supervisory or managerial position and responsibility for additional program(s) and/or staff are added such that the position meets the concepts, examples of work, and requirements for a different classification.
 - i. When the duties and responsibilities remain basically the same, but the duties and responsibilities have gradually accrued over a long period of time (several years), to the extent that a reasonable argument can be made that a reclassification is warranted. Civil Service will review when and how the onset of these duties and responsibilities occurred.
 - j. When the appointing authority proposes and Civil Service accepts that the reclassification is warranted because the employee would be competing for his or her own position. This is a situation where no real competitive opportunity exists for the position.
6. The assignment and performance of working-out-of-class duties and responsibilities does not support a position reclassification. Working-out-of-class assignments and position reclassification are mutually exclusive situations. Working-out-of-class assignments will be reviewed and processed in accordance with regulation 4.08 [Working Out Of Class].

D. Conversion.

A position may be converted to a different classification or moved into or out of a performance pay program only when Civil Service determines conversion is warranted. Regulation 5.07 [Performance-Pay Programs], standards E., G. and L. establishes how salary is determined upon conversion of an occupied position.

E. Departmental Trainee.

The Departmental Trainee facilitates career movement of employees who do not possess a bachelor's degree into designated professional classifications, based on specific state classified experience that has provided the knowledge, skills, and abilities to perform professional tasks in a learning capacity.

1. The appointing authority must submit a Position Description (CS-214) and Position Action Request (CS-129) requesting that Civil Service classify the new position. Civil Service designates, on the CS-129, the classification to which the position will be reclassified upon completion of the transitional period.
2. If the Departmental Trainee is used to facilitate the movement of an employee to a position that will ultimately be classified at the advanced level, position-specific or universal, advanced classification standards must be approved prior to the employee's appointment.
3. The appointing authority must submit a request for credential review in accordance with standard B.4. of regulation 3.07 [Appointment and Job Changes]. Civil Service shall review the qualifications of the intended appointee prior to the appointment.
4. An employee may be reclassified to the new professional classification after successful completion of the experience requirements for the classification. A reclassification requires appointing authority certification that the employee (a) meets the minimum requirements, (b) is satisfactorily performing the duties and responsibilities of the requested classification or classification level, and (c) has a current, satisfactory probationary, annual, or follow-up performance rating. If the reclassification would result in a pay decrease, the employee continues in the transitional period for another year.
5. Regulation 5.01 [General Salary Schedule Administration], standard L., establishes standards for determining salary upon appointment of the employee to a Departmental Trainee.
6. Regulation 2.01 [Implementing a Reduction-in-Force for Nonexclusively Represented Employees], standard D., provides guidance in determining employment preference for Departmental Trainees in the event of a reduction in force (RIF).

F. Establishment and Assignment of Selective Position Requirements.

1. Selective position requirements for specific positions must be job related. The appointing authority must establish that the position is different from others in the classification, detail how it is different, and describe what unique qualifications are needed. A current, approved Position Description (CS-214)

for an established position must be submitted with the request for selective position requirement approval.

2. Selective position requirements must narrow the classification requirements and can not be for a higher order than the qualification requirements for the classification. For example, a criterion of a bachelor's degree would not be approved for a position in a classification that requires an associate's degree; however, an associate's degree in a particular area could be approved for a position in a classification with an associate's degree requirement.
3. The criteria must relate to entry requirements, not to knowledge, skills, abilities, or other characteristics acquired in the position.
4. Selective position requirements must be quantifiable, easily observable, and verifiable. For example, "possession of a teacher's certificate", "15 college credits in toxicology", "one year of experience in historic preservation."
5. Selective position requirements may be approved for positions in classifications with approved subclasses.
6. An approved selective position requirement must be applied whenever the position is to be filled. The approval remains in effect for the duration of the position unless there is a substantial change in the position's duties and responsibilities affecting the qualification requirements.
7. Selective position requirements must be approved and in place for 28 calendar days before the criteria can be applied in a RIF action affecting the position, the employee, or a person exercising employment preference to the position. When a RIF affects a position with an approved selective position requirement in place for 28 calendar days or more, the approved requirement must be applied to all persons in whose bump chain the position appears. Only employees who satisfy the selective position criteria may exercise employment preference into the position.

G. Establishment and Assignment of a Subclass.

1. An identified position or a group of positions must exist and have duties and responsibilities that require more specialized qualifications (i.e. experience, training, or licensure) than those established on the class specification. The duties and responsibilities must be essential to the position at job entry. The subclass definition must describe qualifications for which there is a recognized applicant pool.
2. Civil Service establishes, abolishes, and revises subclasses and their definitions. Requests to establish, abolish, or revise subclasses may be initiated by appointing authorities or Civil Service staff. Appointing authorities have the opportunity to review and comment on subclasses to be established, abolished, and revised, including the definition, before implementation.
3. Subclasses may be assigned when a position is established or at any other time, except during a RIF. An appointing authority must provide supporting rationale for requesting addition or removal of a subclass from a specific position.

4. The approval of subclasses for a position does not preclude further narrowing of the requirements through selective position requirements, when appropriate.
5. Subclass additions, deletions, and revisions are published periodically in the "Established and Abolished Class Report." Subclasses are represented by subclass codes and defined in a list as maintained on the Civil Service web site.
6. To be found qualified for a subclass, a person must first meet the qualifications of the classification of the job to which the subclass is assigned.
7. If a position is assigned one subclass, the applicant selected to fill it must satisfy the subclass criteria. If a position is assigned more than one subclass, the applicant selected must satisfy at least one of the subclasses.
8. Subclass criteria must be approved and in place for 28 calendar days before the subclass criteria may be applied in a RIF action. Subclass qualification must be determined for all persons in whose bump chain the position appears. Only employees who satisfy the subclass criteria may exercise employment preference into the subclass assigned position.

H. Downgrading Positions.

1. An appointing authority may request reclassification between any of the lower classification levels within the non-supervisory/non-managerial class series; e.g., worker, specialist class series, except for professional administrative assistant positions.
2. Agency recall names preclude downgrading of a position.

5. PROCEDURES

A. Establishing and Reclassifying Positions.

Responsibility	Action
Appointing Authority	<ol style="list-style-type: none"> 1. Submits a Position Action Request (CS-129), Position Description (CS-214), and any other necessary information to Civil Service for a position review. 2. To reclassify a filled position, certifies on the CS-129 that the employee meets the minimum qualifications, is satisfactorily performing the duties and responsibilities of the requested classification, and has a current satisfactory performance rating.
Civil Service	<ol style="list-style-type: none"> 3. Reviews the establishment, reclassification request.

Responsibility (continued)	Action (continued)
Civil Service	<ol style="list-style-type: none"> 4. If approved or modified, classifies or reclassifies the position to the appropriate classification with the necessary documentation on the CS-129 and enters the necessary position information and/or employee information in HRMN. 5. If an establishment is disapproved, documents the reason on the CS-129 and informs the appointing authority of their right to file a technical complaint. 6. If a reclassification is disapproved, documents the reason on the CS-129 and informs the incumbent and appointing authority of their right to file a technical complaint. 7. Releases the CS-129 to the appointing authority.
Appointing Authority	<ol style="list-style-type: none"> 8. Receives the Position Action Response (CS-129) and, for any occupied position, enters any employee information in HRMN not entered centrally by Civil Service.

B. Establishing Selective Position Requirements.

Responsibility	Action
Appointing Authority	<ol style="list-style-type: none"> 1. Submits a written request for approval that includes a copy of the current CS-214, a CS-129, and any documentation, and a narrative that provides the rationale and linkage between the requested criterion and the CS-214 and any relevant supporting materials, such as pertinent legislation.
Civil Service	<ol style="list-style-type: none"> 2. Reviews the request and, if approved, enters the necessary position information in HRMN. 3. If the request is disapproved, informs the appointing authority of their right to file a technical complaint. 4. Releases the CS-129 to the appointing authority.

C. Establishing Subclasses.


Responsibility	Action
Appointing Authority	1. Submits a written request to establish a new subclass, or to revise or abolish an existing subclass, and provides supporting rationale.
Civil Service	2. Reviews requests for subclass establishment, abolishment, or revision. Makes determination and notifies user agencies.
All Appointing Authorities	3. Reviews and comments on proposed subclass establishment, abolishment, or revision.
Civil Service	4. Reviews agency comments and makes appropriate adjustments to subclass. 5. Includes subclass establishments, abolishments, and revisions in the "Established and Abolished Class Report." 6. Updates subclass listing directly to the Civil Service web site to reflect subclass changes.

D. Assigning and Removing Subclasses from Positions.

Responsibility	Action
Appointing Authority	1. Completes a CS-129 requesting addition or removal of subclasses from a position, with supporting rationale.
Civil Service	2. Reviews CS-129 and makes determination regarding appropriateness of adding or removing requested subclasses. If approved, enters the necessary position information.
Appointing Authority	3. Releases CS-129 to appointing authority. 4. Receives the CS-129 and, if approved, enters the employee information in HRMN for any occupied position.

CONTACT

Questions regarding this regulation should be directed to Classifications and Selections, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone, at 517-373-3030 or 1-800-788-1766; or by e-mail to MDCS-BHRS@michigan.gov.

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